

BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY

AGENDA 03-32

TUESDAY, SEPTEMBER 9, 2003

TAPE 03-32

Except where noted, all scheduled items will be heard in the Covington Chambers of the Board of Supervisors, County Government Center, 385 North Arrowhead Avenue, First Floor, San Bernardino, California.

9:00 A.M. - CONVENE MEETING OF THE BOARD OF SUPERVISORS - Magda Lawson Room, Fifth Floor, County Government Center.

CLOSED SESSION

ADJOURN TO CLOSED SESSION – Magda Lawson Room, Fifth Floor, County Government Center.

Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9(a)):

The Colonies Partners Limited, L.P. v. San Bernardino County Flood Control District, et al., Case No. RCV 061971;
David Waters v. County of San Bernardino, Case No. SBR 0294608;
County of San Bernardino v. James Hlawek, et al., Ventura Case No. CIV 200803.

Conference with Real Property Negotiator (Government Code section 54956.8):

Conference with County's Real Property Negotiators, Gerry Newcombe and David Slaughter, regarding courthouse relocation space negotiations for property at 303 West Third Street with F.E. Schnetz, and for property at 340 and 398 West Fourth Street with Christian and Ruann Singletary.

Confidential Medical Records – Medi-Cal Agreement (Government Code section 6254(q) and Health & Safety Code section 1457)

Personnel (Government Code section 54957):

Consider Public Employee Appointment for the Position of County Counsel.

PUBLIC SESSION

10:00 A.M. - RECONVENE MEETING OF THE BOARD OF SUPERVISORS – Covington Chambers, First Floor, County Government Center.

Invocation and Pledge of Allegiance – 5th District

CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial and will be acted upon by the Board at one time under “ **ACTION ON CONSENT CALENDAR**” – **Item 74** unless the Board directs that an item be held for further discussion under **DEFERRED ITEMS – Item 75.**

Persons wishing to address consent items or have them held for further discussion, continued, or taken off calendar, should address the Board under “ACTION ON CONSENT CALENDAR” - Item 74.

(The asterisk (*) indicates back-up material is available).

BOARD OF SUPERVISORS

1. * Resolutions, Acknowledgements and Reports of Supervisors.

3rd District

Adopt resolution recognizing Deanna Stover, Chief of Clinical Operations for the Human Resources Department, for 16 years of service to the County of San Bernardino.

4th District

Adopt resolution congratulating the Mt. Zion Baptist Church on their 81st anniversary.

5th District

Adopt resolution commending Allen Gresham upon his retirement after 30 years of dedicated service to Inland Action.

SCHEDULE HEARING DATES

Economic & Community Development

2. * Schedule **TUESDAY, SEPTEMBER 30, 2003 AT 10:00 AM** for a public hearing to consider substantial amendments to the 2003-2004 Community Development Block Grant (CDBG) Action Plan for the County's 2000-2005 Consolidated Plan; direct the Clerk of the Board to publish a Notice of Hearing one-time, in publications of general circulation within the County of San Bernardino, at least fifteen (15) days prior to the hearing date. (Presenter: Thomas R. Laurin)

Land Use Services - Planning

3. * Schedule **TUESDAY, SEPTEMBER 23, 2003, AT 10:00 AM** for a public hearing to consider an appeal of a Planning Commission decision to deny a General Plan Amendment (GPA) to change the Land Use District from Bloomington/Single Residential 1 acre minimum, Additional Agriculture Overlay (BL/RS-1AA) to Bloomington/Single Residential 15,000 SF Minimum (BL/RS-15M), and Tentative Tract 16368 to create 31 lots on 13.13 acres; direct the Clerk of the Board to publish the Notice of Hearing, pursuant to Government Code Sections 65090 and 65091, one time in a publication of general circulation at least 10 days prior to hearing date. (Applicant: **Raul Madrid**; JCS/Index: 11401CF1/W192-113/2002/TT16368/TT01/GPA01) (APN: 0259-161-04*; Location: Jurupa Avenue and Cactus Avenue, SW Corner) (Community: Bloomington). (Presenter: Julie M. Rynerson)
4. * Schedule **TUESDAY, SEPTEMBER 23, 2003, AT 10:00 AM** for a public hearing to consider the appeal of a Planning Commission Denial of a Conditional Use Permit to legalize 24 adult video booths and private office and to establish the legal, non-conforming bookstore as a legal, conforming use with a Variance to allow the bookstore less than 750 feet from any residential land use district and any off-site residential land use, on 1.37 acres; direct the Clerk of the Board to publish the Notice of Hearing, pursuant to Government Code Sections 65090 and 65091, one time in a publication of general circulation at least 10 days prior to hearing date. (Applicant: **Lim Hui Cha (Jackman Bookstore)**) (JCS/Index: 11238CU1/W149-83/2002) (APN: 0230-081-02) (Community: Fontana). (Presenter: Julie M. Rynerson)

CLERK OF THE BOARD OF SUPERVISORS

5. * Refer to County Counsel for investigation and report the following claims for refund of tax payments: Romeo and Maria L. Paras, Steve or Pamela Naylor and Jennine Holzknecht. (Presenter: J. Reneé Bastian)

CLERK OF THE BOARD OF SUPERVISORS (Continued)

6. * Refer to County Counsel the following Superior Court summonses entitled: Kathy Marie Luke vs County of San Bernardino et al., Linda Carter vs County of San Bernardino et al., USAA, vs County of San Bernardino et al. and William Queen vs County of San Bernardino et al. (Presenter: J. Reneé Bastian)

ECONOMIC DEVELOPMENT/PUBLIC SERVICES GROUP

ED/PSG Administration

7. * Acting as governing body of all Board-Governed Special Districts, approve cost-of-living salary increases (retroactive to July 12, 2003) and amendments to the Special Districts Exempt and Non-Represented Employee Compensation Plans, on file with the Clerk of the Board; direct the Auditor/Controller-Recorder to take necessary action to implement the provisions of the Compensation Plans; adopt a resolution making retirement formula contained in Government Code section 31664.1 applicable to all prior safety service credit for designated employee groups of the Special Districts governed by the San Bernardino County Board of Supervisors who are safety members of the San Bernardino County Employees Retirement Association (SBCERA). (Presenter: John Goss)

ED/PSG Administration & Consolidated Fire District

8. * Continue the Emergency Proclamation originally proclaimed by the Board of Supervisors on September 24, 2002, relating to the Bark Beetle infestation and severe drought conditions described in the Emergency Proclamation, which still exists and continues to be an emergency. (Presenter: Peter Hills)
9. * Continue the Emergency Proclamation originally proclaimed by the Board of Supervisors on January 7, 2003, resulting from the discovery of Exotic Newcastle Disease (END) in poultry located within San Bernardino County described in the Emergency Proclamation, which still exists and continues to be a local emergency. (Presenters: Thomas J. Prendergast, Denise L. Benson)
10. * Continue the Emergency Proclamation originally proclaimed by the Chairman of the Board of Supervisors on August 22, 2003, and ratified by the members of the Board on August 26, 2003, resulting from excessive property damage caused by a significant thunderstorm event from August 20, 2003 through August 27, 2003, in and around the Town of Yucca Valley, which still exists and continues to be a local emergency. (Presenter: Peter R. Hills, Denise L. Benson)
11. * Acting as the governing body of County Service Area 70 (CSA 70), San Bernardino County Consolidated Fire District (County Fire), approve the Memorandum of Understanding (MOU) on file with the Clerk of the Board, entered into between the San Bernardino Public Employees Association (SBPEA) and the San Bernardino County Consolidated Fire District covering personnel in the CSA 70 Non-Safety Unit; direct the Auditor/Controller-Recorder to take necessary action to implement the provisions of the MOU and to make Fiscal Year 2003/2004 budget adjustments as follows: Decrease "Contingencies" in an amount of \$144,754 and increase "Salary and Benefits" in an amount of \$144,754. (Four votes required). (Presenter: Peter R. Hills)

Agriculture/Weights and Measures

12. * Approve agreement with the California Department of Pesticide Regulation for the Agricultural Commissioner/Sealer to submit pesticide application information to the State, from July 1, 2003, through June 30, 2004, for compensation in the amount of \$29,536. (Presenter: Edouard P. Layaye)

Economic & Community Development

13. * Approve contract with the Fontana Rehabilitation Workshop, Inc., in which Community Development Block Grant (CDBG) funds in the amount of \$75,000 will be used to finance the construction of various improvements to the agency's existing West Fontana warehouse building, and the agency shall be responsible for the subsequent maintenance and operation of this building for a contract term of no less than twenty (20) years following completion of the improvements. (Presenter: Thomas R. Laurin)

Consolidated Fire District

14. * Acting as the governing body of the San Bernardino County Operational Area, ratify the actions of Dennis Hansberger, Chairman of the Board of Supervisors to: a) Authorize the San Bernardino County Consolidated Fire District as the lead agency to submit a grant application for funding in the amount of \$3,000,000, with a 25% matching requirement of \$1,000,000, to the Governor's Office Of Emergency Services for The Federal Emergency Management Agency (FEMA) FY03 Pre-Disaster Mitigation Competitive Grant Program, to be used for developing sustainable fuel breaks and defensible zones on private lands in the communities of Forest Falls, Angelus Oaks, Barton Flats and Mountain Home Village and b) Adopt a resolution to authorize Peter R. Hills, Fire Chief/Fire Warden, and Denise L. Benson, Division Manager, Fire Department/Office of Emergency Services to take actions necessary under the Pre-Disaster Mitigation Grant Program to execute and file the documents on behalf of the County. (Presenters: Peter R. Hills, Dense L. Benson)

Land Use Services – Code Enforcement

15. * Approve the issuance of an Request for Proposal by the Land Use Services Department for Graffiti Removal Services in the Second District. (Presenter: Paul Tavares)

Library

16. * Ratify authorization by the Chairman of the Board of Supervisors for County Library to submit an application to participate in the California Library Literacy Services AmeriCorps Initiative, which offers the use of part-time and full-time AmeriCorps members to supplement Library literacy services at a cost to the County of \$13,000 for a 10-month period from December 1, 2003, through September 30, 2004. (Presenter: Ed Kieczkowski)

Museum

17. * Approve Amendments No. 1 and No. 2 to Agreement No. 02-853 with the U.S. Department of the Interior, Bureau of Reclamation, increasing the total amount of the contract by \$66,000, from \$151,857 to \$217,857, for additional biological services along the Lower Grand Canyon area, and extending the date of completion for the sedimentation, vegetation, and avian use studies to June 15, 2004. (Presenter: Robert L. McKernan)

Public Works - Flood Control

18. * Acting as the governing body of the Flood Control District (District), adopt a resolution accepting a portion of Wilson Creek Channel and Gateway Wash Channel recently improved as part of the Chapman Heights project in the City of Yucaipa, into the District's maintained system. (Presenter: Ken A. Miller)

Public Works - Regional Parks

19. * Rescind Board action of March 11, 2003, which approved Amendment No. 1 to Contract No. 00-284 and Contract No. 01-308 with SANBAG, to revise Project Implementation Schedules for the Santa Ana River Trail (SART), Phase II and Phase III; approve Amendment No. 1 to Contract No. 00-284 with SANBAG (SANBAG Contract No. 00-070) for a substitution of Exhibit C - Project Implementation Schedule related to Phase II of the SART; approve Amendment No. 1 to Contract No. 00-308 with SANBAG (SANBAG Contract No. 01-054) for a substitution of Exhibit C - Project Implementation Schedule related to Phase III of the SART. (Presenter: Thomas A. Potter)

Public Works - Surveyor

20. * Accept final map, securities and agreements as certified and recommended by the County Surveyor for Tract No. 15602 consisting of 5 lots located north of Valencia Drive and east of Walnut Road in the Crafton area with the following securities: Tax Bond - \$6,500 (Surety), Staking Deposit - \$2,800 (Cash), Performance Security-Road & Drainage - \$128,000 (Surety), Labor & Materials Security-Road & Drainage - \$64,000 (Surety), Performance Security-Water - \$123,000 (Surety), and Labor & Materials Security-Water - \$61,500 (Surety). (Presenter: Ken A. Miller)
21. * Accept staking deposit and performance guarantee in the amount of \$1,000 from Olin S. Lord, for monumentation of Parcel Map 16005, a commercial subdivision, recorded on August 18, 2003, located at the northeasterly corner of Almeria Avenue and Arrow Route in the County's unincorporated area, near Fontana. (Presenter: Ken A. Miller)

Public Works - Transportation

22. * Ratify the action by the Chairman of the Board of Supervisors approving Amendment No. 1 to Agreement No. 00-089, County Contract No. 00-244, with San Bernardino Associated Governments (SANBAG), to extend the completion date for construction of a traffic signal at Wabash Avenue and State Highway 38, in the Mentone area from June 30, 2002 to January 31, 2004; approve Amendment No. 2 to Agreement No. 00-089, County Contract No. 00-244, with SANBAG, to further extend the completion date for construction of a traffic signal at Wabash Avenue and State Highway 38, in the Mentone area from January 31, 2004 to June 30, 2004. (Presenter: Ken A. Miller)
23. * Ratify the action by the Chairman of the Board of Supervisors approving Amendment No. 1 to Agreement No. 00-076, County Contract No. 00-622, with San Bernardino Associated Governments (SANBAG), to extend the completion date for construction of the Green Valley Lake Historic Trail, Museum, and Visitors Center from June 1, 2001 to June 30, 2003; approve Amendment No. 2 to Agreement No. 00-076, County Contract No. 00-622, with San Bernardino Associated Governments (SANBAG), to further extend the completion date for construction of the Green Valley Lake Historic Trail, Museum, and Visitors Center from June 30, 2003 to August 31, 2003. (Presenter: Ken A. Miller)
24. * Ratify the action by the Chairman of the Board of Supervisors approving Amendment No. 1 to Agreement No. 01-055, County Contract No. 01-279, with San Bernardino Associated Governments (SANBAG), to extend the completion date for the construction of a scenic walkway around Lake Gregory in the Crestline area from September 30, 2002 to October 31, 2003; approve Amendment No. 2 to Agreement No. 01-055, County Contract No. 01-279, with SANBAG, to further extend the completion date for the construction of a scenic walkway around Lake Gregory in the Crestline area from October 31, 2003 to February 29, 2004. (Presenter: Ken A. Miller)
25. * Find that the project for road improvements on Sunny Hill Road and Alta Loma Drive in the Joshua Tree area is exempt under the California Environmental Quality Act (CEQA) Class 1, Section 15301(c) {Minor Alterations}; approve the project as defined in the Notice of Exemption and direct the Clerk of the Board to post the Notice of Exemption. (Presenter: Ken A. Miller)

Public Works – Transportation (Continued)

26. * Release the labor and material securities for "water" and "road and drainage" in the amounts of \$35,000 (Surety) and \$194,000 (Surety), respectively; release the maintenance securities for "water" and "road and drainage" in the amounts of \$17,750 (Surety) and \$97,000 (Surety), respectively, for Tract 16188 located in the Bloomington area. (Presenter: Ken A. Miller)
27. * Approve Amendment No. 1 to the following agreements extending the term for Equipment Rental services from October 1, 2003 to June 30, 2004: Addison Equipment Rental, Advanced Sewer Technologies, Inc., Amer General Engineering, Catrac Construction, Inc., Clairemont Equipment, E.R. Chapman Construction, Inc., Gutierrez Construction Company, Heavy Equipment Rental, LLC, Houston and Harris PCS, Inc., HSS RentX, Jimco Construction and Equipment Rental, Johnson Rental Services (Johnson Machinery), Mathews Machinery, Neff Rental, Pacific Utility Equipment Company, Rain for Rent, Trench Plate Rental Company, Western Rentals, Inc., William Kanayan Construction and Wood Bros. Truck & Equipment Rental. (Presenter: Ken A. Miller)
28. * Approve Amendment No. 1 to the following agreements, extending the term for Street Sweeping services for the County from October 1, 2003, to June 30, 2004: Arrow Power Sweeping, Inc., Clean Street (formerly California Street Maintenance, Inc.), Environetics Development Corporation, Hi Desert Sweepers, Interstate Sweeping Services, McIntosh Power Sweeping (MPS) and Ragains Sweeping Service. (Presenter: Ken A. Miller)
29. * Approve Amendment No. 1 to the following agreements, extending the term for Truck Hauling services from October 1, 2003 to June 30, 2004: A.C. Byers Trucking, Inc., Dilliard Environmental Services, Dineen Trucking, Dispatch Trucking, Inc., Garner Trucking, Tri-R Construction, Inc. and Wood Bros. Truck and Equipment Rental. (Presenter: Ken A. Miller)
30. * Award a contract to Laird Construction Co. Inc., of Rancho Cucamonga in the amount of \$255,255 for the overlay of various roads in the Arrowbear and Running Springs areas; authorize a contingency fund in the amount of \$25,525 and authorize the Director of Public Works to execute necessary changes in the contract; authorize the Director of Public Works to execute the Notice of Completion after acceptance of the work. (Presenter: Ken A. Miller)
31. * Award a contract to William Kanayan Construction of Rim Forest in the amount of \$198,236 for the overlay of various roadways in the Lake Arrowhead area; authorize a contingency fund in the amount of \$19,823 and authorize the Director of Public Works to execute necessary changes in the contract; authorize the Director of Public Works to execute the Notice of Completion after acceptance of the work. (Presenter: Ken A. Miller)
32. * Award a contract to William Kanayan Construction of Rim Forest in the amount of \$197,833 for the overlay of various roads in the Crestline area; authorize a contingency fund in the amount of \$19,783 and authorize the Director of Public Works to execute necessary changes in the contract; authorize the Director of Public Works to execute the Notice of Completion after acceptance of the work. (Presenter: Ken A. Miller)
33. * Award a contract to Match Corporation of San Bernardino in the amount of \$431,431 for the overlay of various roadways in the Big Bear area; authorize a contingency fund in the amount of \$43,143 and authorize the Director of Public Works to execute necessary changes in the contract; authorize the Director of Public Works to execute the Notice of Completion after acceptance of the work. (Presenter: Ken A. Miller)

Public Works – Transportation (Continued)

34. * Award a contract to Palm Canyon Contractors, Inc. of Yucaipa in the amount of \$183,309 for the paving of six roads in the Lake Arrowhead area; authorize a contingency fund in the amount of \$18,330 and authorize the Director of Public Works to execute necessary changes in the contract; authorize the Director of Public Works to execute the Notice of Completion after acceptance of the work.
(Presenter: Ken A. Miller)
35. * Approve Cooperative Agreement with the City of Fontana (City) for intersection improvements and new traffic signal, at the intersection of Arrow Route and Locust Avenue, in which the City will contribute \$40,000 of in kind costs towards the \$378,000 total estimated cost of this project.
(Presenter: Ken A. Miller)

Special Districts

36. * Acting as the governing body of County Service Area 70, Improvement Zone S-7 (Lenwood), approve construction contract with L.T. Engineering of Laguna Niguel in the amount of \$4,410,610 for construction of a sewer line and manholes for High Desert Estates Collection Line (Base Bid #1) and a sewer collection system including lateral connections in the community of Lenwood (Base Bid #2); authorize the Director of Special Districts Department to file the Notice of Completion; direct the Auditor/Controller-Recorder to record the Notice of Completion. (Presenter: Jeff Rigney)
37. * Acting as the governing body of County Service Area 70, Improvement Zone L (Pinon Hills), award construction contract in the amount of \$307,355 to Southwest Pump & Drilling Inc., for the drilling of Well No. 14 which includes the installation of the casing and testing in conformance with the requirements for domestic water wells issued by the State of California, Department of Health Services.
(Presenter: Tom Sutton)
38. * Acting as the governing body of County Service Area 70, approve agreement with David Taussig & Associates, Inc. to provide financial consulting services for the administration of Mello Roos special taxes for Community Facilities District Nos. 2002-1 and 2002-2 (Catellus Kaiser Commerce Center) and 2003-1 (Citrus Plaza) for September 1, 2003 - July 1, 2006 in an amount not to exceed \$36,000 per year.
(Presenter: Jeff Rigney)

FISCAL GROUP

Assessor & Auditor/Controller-Recorder

39. * Authorize the Purchasing Agent to issue a purchase order to SBC DataComm in the amount of \$79,086 to replace aging LAN components in the Assessor's Office; authorize Auditor/Controller-Recorder to transfer appropriations in the Recorder's Special Revenue Fund's FY 2003-04 budget.
(Presenter: Mark Mosher)
40. * Authorize the Purchasing Agent to issue a purchase order to Burtronics Business Solutions in the amount of \$26,371 to purchase a Reader/Printer for the Assessor's Mapping section; authorize Auditor/Controller-Recorder to transfer appropriations in the Recorder's Special Revenue Fund's FY 2003-04 budget. (Presenter: Mark Mosher)

HUMAN SERVICES SYSTEM

Behavioral Health

41. * Approve amendments to the following contracts for Augmented Board and Care (ABC) services: a) Contract No. 01-1053 A-2 with Orchid Court, Inc. for the following facilities: Long/Short Term Adult Male and Female Intensive Dual Diagnosis, Adult Female Intensive/Adult Female Intensive-Forensic Home, and Long Term Geriatric; b) Contract No. 01-1055 A-1 with Mt. View Residential Board and Care for the following facilities: Long/Short Term Adult Male and Female Intensive Dual Diagnosis, Adult Female Intensive/Adult Female Intensive-Forensic Home and Long Term Geriatric; c) Contract No. 01-1078 A-2 with Linda Diann Spinks, Inc. dba Linda Villa Care for the following facility: Adult Female Intensive - Forensic Home. (Presenter: Rudy Lopez)
42. * Approve annual Grant Renewal and ratify the submission of the annual Grant Renewal for "Federal Projects for Assistance in Transition from Homelessness" in the amount of \$154,608 for the period July 1, 2003 through June 30, 2004; accept annual Grant allocation for "Federal Projects for Assistance in Transition from Homelessness" in the amount of \$154,608 for the period July 1, 2003 through June 30, 2004. (Presenter: Rudy Lopez)
43. * Approve submission of annual grant allocation application for continuation of the Substance Abuse and Mental Health Services Administration (SAMHSA) Federal Block Grant in the amount of \$3,059,486 for the period July 1, 2003 through June 30, 2004. (Presenter: Rudy Lopez)

Child Support Services

44. * Authorize the Purchasing Agent to issue a Purchase Order to Minolta Business Systems in the amount of \$134,835 for office machine maintenance for the Department of Child Support Services (DCSS) for FY 2003/2004. (Presenter: Cory Nelson)

Children's Network

45. * Approve Letter of Support to the State Department of Social Services Foster Care Rate Setting Bureau for the Providence Group Home. (Presenter: Kent Paxton)

Children's Services

46. * Approve contracts with the following 14 vendors to provide Therapeutic Treatment Services on a fee-for-service basis in an aggregate amount not to exceed \$1,050,000 for the period of September 15, 2003 through September 14, 2004: Christine K. Campbell, Ph.D., Christine Clary, LMFT, First Nations Tribal Family Center, Inc., Pamela Haas, LMFT, Lynn M. Hayes, LMFT, Karen Malone Jacobs, LMFT, Richard J. Jordan, MFT, Kevin E. Lee, MFT, Morongo Basin Mental Health Services Assoc., Inc., Kerry Maldiner, MFT, Olive Branch Counseling Centers, Inc., Brent Taylor, MFT, Maria Valentin de Domena, LCSW, and White Dove Counseling Center. (Presenter: Cathy Cimbalo)

Preschool Services

47. * Authorize the Auditor/Controller-Recorder to increase "General Maintenance Improvement & Grounds" and "Miscellaneous" appropriations accounts and "Federal Aide for Day Care" revenue account in the Preschool Services Department's (PSD) FY 2003-2004 budget by \$202,768; transfer \$204,108 from "Salaries" appropriation account to "Equipment" (\$130,000) and "General Maintenance Improvement" (\$74,108) accounts; authorize the Purchasing Agent to issue purchase orders to procure playground equipment for PSD totaling \$130,000. (Four votes required). (Presenter: Roberta York)

Preschool Services (Continued)

48. * Approve travel for one Preschool Services Department Policy Council Member to attend the 20th Annual Region IX Head Start Association Training Conference in Long Beach, California, October 20 - 24, 2003, at a total cost not to exceed \$1,040. (Presenter: Roberta York)

Public Health

49. * Approve Amendment No. 1 to agreement with California Family Health Council (CFHC) in the amount of \$4,050, increasing the total agreement from \$35,000 to \$39,050 for the period January 1, 2003 through December 31, 2003 for the California Infertility Prevention Project. (Presenter: James A. Felten)
50. * Approve revenue contract with Fontana Unified School District to provide school readiness dental education and screenings to enrolled children, in the amount of \$50,000, for the period August 1, 2003 through December 31, 2004; authorize the Auditor/Controller-Recorder to increase appropriations and revenue in the Department of Public Health's FY 2003-04 budget. (Four votes required). (Presenter: James A. Felten)

INTERNAL SERVICES GROUP

Real Estate Services

51. * Approve Amendment No. 1 to Contract No. 00-1116 with Leonor Mendez and Maria Dolmatoff to extend the term from August 1, 2003 to July 31, 2008 for a two-acre residence in the Chino Agricultural Preserve in Chino for total revenue in the amount of \$42,420. (Four votes required). (Presenter: David H. Slaughter)

Real Estate Services & Public Works

52. * Acting as the governing body of the San Bernardino County Flood Control District (District) of the Department of Public Works, approve a lease agreement with Chevron U.S.A., Inc., a Pennsylvania Corporation, for twenty years from September 15, 2003 through September 14, 2023 for use of 1,714 square feet of District property for parking, driveway, and landscaping purposes in the City of Rancho Cucamonga for total revenue in the amount of \$36,812. (Presenter: David H. Slaughter)

COUNTY COUNSEL

53. * Approve Claims for Refund of Tax Payments upon recommendation of Assessor's Office for the following claimants: Heracleo Marquez (APN: 0279-051-26-0000) in the amount \$59.60 and Audra R. Lamolli (APN: 1012-251-07-6026) in the amount of \$160.69. (Presenter: Alan K. Marks)
54. * Deny Claims for Refund of Tax Payments of the following claimant upon recommendation of the Auditor/Controller-Recorder's Office: Broadwing Communications Services, Inc. (APN 9763-000-00-0001). (Presenter: Alan K. Marks)
55. * Deny Claims for Refund of Tax Payments upon recommendation of Tax Collector for the following: Ida Stewart, Alicia Teofilo (5 parcels), Charles H. Tidwell, Dan and Fanny D'Amelio, Stefan and Sophie A. Borowitz, Michael Ledbetter, and Rev. Ronald G. Milburn. (Presenter: Alan K. Marks)

LAW AND JUSTICE GROUP

District Attorney

56. * Authorize the Purchasing Agent to issue a purchase order to LEMS in the amount of \$73,000 for the provision of blood draw services for FY 2003-04. (Presenter: James B. Hackleman)

District Attorney (Continued)

- 57. * Authorize the Purchasing Agent to issue a purchase order to Bio-Tox Laboratories in the amount of \$40,000 for the provision of blood analysis services for FY 2003-04. (Presenter: James B. Hackleman)
- 58. * Transfer appropriation in the District Attorney budget units in the amount of \$113,950 to enhance prosecution and investigation for the San Bernardino County Auto Theft Task Force (SANCATT); authorize the addition of one position classified to Deputy District Attorney IV, Attorney Unit, R82 (\$87,401-\$111,904) and one position classified to District Attorney Investigator I, Safety Unit, Safety Range 19 (\$50,794-\$64,979), subject to classification review. (Presenter: James B. Hackleman)

Public Admin/Coroner/Public Guardian

- 59. * Accept grant in the amount of \$10,000 from the Foundation for Improvement of Justice, Inc.; authorize the Auditor/Controller-Recorder to increase revenues and appropriations in the amount of \$10,000. (Four votes required). (Presenter: Brian McCormick)

Sheriff

- 60. * Authorize the addition of one new position classified to Maintenance Supervisor, Supervisory Unit, R55 (\$45,094 - \$57,554); delete vacant position No. 77482, Staff Aide, Administrative Services Unit, R41 (\$32,032 - \$40,893). (Presenter: Norm Hurst)
- 61. * Authorize the addition of two new positions classified to Sheriff's Custody Specialist, Technical & Inspection Unit, R40 (\$31,242 - \$39,894); authorize appropriations and revenue adjustments to the Sheriff's Department Budget for 2003-04, in the amount of \$81,600. (Four votes required). (Presenter: Norm Hurst)
- 62. * Approve out-of-country travel request for Captain Paul Cook and Lieutenant Leland Hamblin, of the Sheriff's Narcotics Division, to travel to Ottawa, Canada from October 28 - 31, 2003 to attend the National Methamphetamine Chemical Initiative (NMCI) Strategy Conference. (Presenter: Rod Hoops)
- 63. * Approve Fourth Amendment to Contract No. 2000-193 with Silver Valley Unified School District for the Sheriff's Department to provide a School Resource Officer, for a decrease of \$41,275, and a total contract amount of \$71,479 for 2003-04. (Presenter: Rod Hoops)
- 64. * Approve Eleventh Amendment to law enforcement services Contract No. 94-937 with the City of Hesperia, for an increase of \$259,660, and a total contract amount of \$5,293,563 to update the costs for 2003-04. (Presenter: Rod Hoops)
- 65. * Approve Fifteenth Amendment to law enforcement services Contract No. 94-909 with the City of Victorville, for an increase of \$611,240, and a total contract amount of \$8,017,947 to update the costs for 2003-04; authorize the addition of one new position classified to Sheriff's Service Specialist, Technical and Inspection Unit, R37 (\$29,078 - \$37,107); authorize the purchase of one unmarked unit as an unbudgeted fixed asset; authorize increase in the Sheriff's Department Budget for 2003-04, in the amount of \$61,105. (Four votes required). (Presenter: Rod Hoops)
- 66. * Approve Tenth Amendment to law enforcement services Contract No. 94-832 with the Town of Yucca Valley, for an increase of \$129,811, and a total contract amount of \$1,944,169 to update the costs for 2003-04. (Presenter: Rod Hoops)

BOARD OF SUPERVISORS

67. * Adopt resolution appointing Supervisor Paul Biane as County Representative and Chairman Dennis Hansberger as County Alternate Representative to the California Cities Home Ownership Authority. (Presenter: Dennis Hansberger)
68. * Approve a \$13,000 allocation from the County's 2003-04 Priority Policy Needs budget to the Economic and Community Development Department for contracts that support youth related activities in the 4th Supervisorial District as follows: \$3,000 for the CampFire USA - Camp Nawakwa kitchen improvements, \$5,000 for the Chino Youth Museum - Exhibit revitalization and promotion and \$5,000 for the Ontario Police Department - "LEO program"; authorize the Auditor/Controller to increase "Special Department Expense" and "Transfers In" accounts by \$13,000. (Four votes required). (Presenter: Fred Aguiar)
69. * Approve the following allocations from the County's FY 2003/04 Priority Policy Needs Budget: \$59,597 to County Library for additional costs related to a proposed new Bloomington Branch Library facility and \$5,000 to the Department of Public Works - Transportation Division to contract with the El Rancho Verde Residents for the clean up of road medians in the unincorporated area of North Rialto. (Presenter: Jerry Eaves)
70. * Appointments, reappointments and vacancies to Boards, Committees and Commissions:
- Appointments
- a) * Terry Benjamin, Inland Empire HIV Planning Council, At Large (San Bernardino County).
- b) * Barry Fischer, Flood Control Advisory Committee Zone 1, 4th District.
- Reappointments
- c) * Thomas Gafney, Assessment Appeals Board B, 2nd District.

COUNTY ADMINISTRATIVE OFFICE

Arrowhead Regional Medical Center

71. * Approve the appointments, completion of provisional period, request for additional clinical privileges, reappointments, revisions to clinical privileges or termination of Medical Staff Membership. (Presenter: Mark H. Uffer)
72. * Find it is in the best interest of the County to use Cyberonics, Inc. as a sole source provider of implantable medical devices for the treatment of epilepsy and other debilitating neurological disorders; authorize the Purchasing Agent to increase the existing Purchase Order with the Cyberonics, Inc. for implantable medical devices for the treatment of epilepsy and other debilitating neurological disorders by \$95,000 for a total amount not-to-exceed \$120,000 for Fiscal Year 2003/04. (Presenter: Mark H. Uffer)
73. * Approve agreements with the following clinics to provide primary care services to County Medical Services Program (CMSP) patients: Dr. Mike's 24 Hour Walk-In Clinic, Neonatology Medical Group, Inc., Jason Boutros, M.D., Inc., and Montclair Family Urgent Care. (Presenter: Mark H. Uffer)

DISCUSSION CALENDAR

BOARD OF SUPERVISORS

74. Action on Consent Calendar

75. Deferred Items.

COUNTY ADMINISTRATIVE OFFICE

CAO Administration, Architecture & Engineering and Superior Court

76. * Increase appropriations and revenues by \$18,185,933 in the Capital Improvement Program; approve Amendment No. 1 to Contract No. 02-400 for \$1,902,526 with ABSG Consulting Inc. of Irvine, bringing the total contract amount to \$2,693,526 for the design and construction administration of the Central Courthouse Seismic Retrofit and Remodel Project in San Bernardino. (Four votes required).
(Presenters: Gerry Newcombe, G. Daniel Ojeda, Tressa Kentner)

LAW AND JUSTICE GROUP

Sheriff

77. * Find it is in the best interest of the County to approve a non-competitive procurement from Geonautics International, Inc. for the purchase of surveillance equipment; authorize Purchasing Agent to issue purchase order to Geonautics International, Inc. in the amount of \$38,695.18, for the purchase of surveillance equipment. (Presenter: Lee Hamblin)

HUMAN SERVICES SYSTEM

Behavioral Health

78. * Approve agreement with Pharmaceutical Care Network to provide Pharmacy Benefit Manager services at a total amount not to exceed \$6,800,000 for the period September 10, 2003 through June 30, 2006. (Presenter: Rudy Lopez)

COUNTY ADMINISTRATIVE OFFICE

Human Resources

79. * **CONTINUED FROM TUESDAY, AUGUST 26, 2003, Item 84** - Adopt a resolution making Government Code section 31664.1 operable for safety members of the San Bernardino County Employees Retirement Association (SBCERA); adopt a resolution making the retirement formula contained in Government Code section 31664.1 applicable to all prior safety service credit for designated employee groups of the County of San Bernardino; read title only of a proposed ordinance regarding compensation of safety exempt employees; waive reading of entire text, and **CONTINUE TO TUESDAY, SEPTEMBER 16, 2003 AT 10:00 AM** for adoption; approve the San Bernardino County Replacement Benefits Plan (the "Plan") and authorize the County Administrative Officer to execute the Plan; delegate the administration of the Plan to the Director of Human Resources; approve a Memorandum of Understanding (MOU) with the San Bernardino County Employees Retirement Association (SBCERA) regarding the Plan, and authorize the County Administrative Officer to execute the MOU; approve standard form of Memorandum of Understanding (MOU); authorize the County Administrative Officer to enter into MOU with any district that participates with SBCERA and that takes actions as required under the Plan to participate therein. (Presenter: Marcel Turner)

ECONOMIC DEVELOPMENT/PUBLIC SERVICES GROUP

ED/PSG Administration

80. * Acting as the governing body of County Service Area 70, Improvement Zone L (Pinon Hills), **CONDUCT HEARING** to: a) Adopt resolution which supersedes Resolution No. 03-197, and confirms the report of water fees and charges, with proposed FY 2003-04 increases for County Service Area 70 Improvement Zone L, and b) Adopt the amended FY 2003-04 proposed budget for CSA 70, Improvement Zone L (Pinon Hills) as the FY 2003-04 final budget. (Presenter: John Goss)
81. * Acting as the governing body of County Service Area 77 (Mariana Ranchos), **CONDUCT HEARING** to adopt resolution, pursuant to Revenue and Taxation Code Section 99.02, to authorize the transfer of the CSA 77 tax rate (1.29%) and associated tax revenue to the Mariana Ranchos County Water District (MRCWD), as a result of its pending dissolution related to LAFCO No. 2942 (Dissolution of County Service Area 77 - Mariana Ranchos Area). (Presenter: John D. Goss)

Registrar of Voters

82. * Approve agreement with Sequoia Voting Systems, Incorporated, Oakland, CA, in the amount of \$13,695,027, for the purchase of 4,000 AVC Edge Touch Screen Voting units, four (4) 400-C Optical Scan Ballot Counter units, related peripherals, software, products, and professional services; authorize an increase in the Department's FY 2003/04 budgeted expenditures of \$13,695,027, offset by a transfer of \$5.7 million from "County Contingencies" and \$7,995,027 in "State Revenue", to accommodate purchase of the new voting system from Sequoia Voting Systems, Incorporated. (Four votes required). (Presenter: Scott O. Konopasek)

Public Works - Solid Waste Management

83. * Find, pursuant to County Code section 16.0231, that waiving or refunding the Solid Waste Disposal Fee (which includes the Environmental Health Services Fee) of \$35.34/ton at the Twentynine Palms Transfer Station, Landers Landfill, Barstow Landfill, and Victorville Landfill for the disposal of storm-related debris serves the public purpose of encouraging the clean up of areas recently damaged by significant thunderstorm activity;
- Ratify the following August 27, 2003 actions by the Chairman of the Board of Supervisors:
- a) Waive, retroactive to August 20, 2003 until October 31, 2003, collection of the \$35.34/ton Solid Waste Disposal Fee for residents and businesses delivering storm-related debris to the Twentynine Palms Transfer Station and Landers Landfill, where such debris originated in the Morongo Basin (including the Town of Yucca Valley, City of Twentynine Palms, and the surrounding unincorporated areas of Joshua Tree, Landers, and Morongo Valley) as a result of the August 20, 2003 through August 27, 2003 thunderstorms,
 - b) Refund, on submission of appropriate documentation and satisfactory proof of payment, the \$35.34/ton Solid Waste Disposal Fee collected for the disposal of storm-related debris at the Twentynine Palms Transfer Station and Landers Landfill between August 20, 2003 and August 27, 2003, where such debris originated in the Morongo Basin (including the Town of Yucca Valley, City of Twentynine Palms, and the surrounding unincorporated areas of Joshua Tree, Landers and Morongo Valley) as a result of the August 20, 2003 through August 27, 2003 thunderstorms;
- Waive, effective, September 9, 2003 until October 31, 2003, collection of the \$35.34/ton Solid Waste Disposal Fee for residents and businesses delivering storm-related debris to the Barstow Landfill, Landers Landfill and Victorville Landfill, where such debris originated in the Lucerne Valley as a result of the August 20, 2003 through August 27, 2003 thunderstorms. (Presenter: Peter H. Wulfman)

Land Use Services - Planning

84. * **CONDUCT HEARING** to consider a proposed ordinance to amend Title 8 of the County Code relating to the regulations for glare, outdoor lighting and night sky protection to include the Mountain and Desert Areas of the County; read title only of the proposed ordinance; waive reading of the entire text and **CONTINUE TO TUESDAY, SEPTEMBER 23, 2003 AT 10:00 AM** for adoption; adopt the findings; and file the Notice of Exemption. (Presenter: Randy Scott)
85. * **CONDUCT HEARING** to consider a Declaration of an Intent to: a) Adopt the Mitigated Negative Declaration, b) Adopt a General Plan Amendment (GPA) from Multiple Residential 7,000 sq. ft. of land per unit (7M-RM) to Single Residential (RS) 10.49 acres; c) Approve Tentative Tract Map 16337 to create 24 lots on 5.39 acres, subject to the successful completion of Conditions of Approval; d) Adopt the Findings as recommended by the Planning Commission related to the General Plan Amendment and the Tentative Tract Map, and find that the Mitigative Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA) and represents the independent judgement of the County; and e) File a Notice of Determination; **CONTINUE FOR FINAL ADOPTION with the Third Cycle General Plan Amendments**; (Applicant: **Raul Madrid**) (JCS/Index: 11354CF1/W149-84/2002/TT16337/TT01/GPA01) (APN: 0230-081-14) (Community: Fontana). (Presenter: Julie M. Rynerson)
86. Public Comment.

ADJOURN TO MEETING OF COUNTY REDEVELOPMENT AGENCY - (CoRDA)

CONVENE MEETING OF COUNTY REDEVELOPMENT AGENCY - (CoRDA)

Redevelopment Programs

87. * **CONTINUED FROM TUESDAY, AUGUST 26, 2003, Item No. 87** - Approve the selection of CSG Advisors, Inc. as Financial Advisor and Fulbright & Jaworski LLP, as Bond Counsel for the San Bernardino County Redevelopment Agency tax increment bond issue authorize execution of the service agreements. (Presenter: John E. Nowak)

ADJOURN TO MEETING OF IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY (IHSS PA)

CONVENE MEETING OF IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY (IHSS PA)

Closed Session

Conference with Labor Negotiator (Government Code section 54957.6):
Elizabeth Sanchez re negotiations with SEIU, Local 434-B - IHSS Provider Unit.

Public Session

In Home Supportive Services Public Authority

88. * Approve Amendment No. 1 to the Memorandum of Understanding (MOU) with Service Employees International Union (SEIU), Local 434-B concerning negotiation of health insurance eligibility and dental insurance coverage, as on file with the Secretary of the Board. (Presenter: Elizabeth Sanchez)

ADJOURN TO THE REGULAR MEETING OF BOARD OF SUPERVISORS

ADJOURN TO MEETING OF COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY - (CoIDA) - (No Agenda).

ADJOURN TO MEETING OF COUNTY ECONOMIC AND COMMUNITY DEVELOPMENT CORPORATION - (No Agenda).

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IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, TIME RESTRICTIONS MAY BE PLACED ON ORAL TESTIMONY REGARDING THE ABOVE PROPOSALS. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

THE BOARD OF SUPERVISORS MEETING FACILITY IS ACCESSIBLE TO PERSONS WITH DISABILITIES. IF ASSISTIVE LISTENING DEVICES OR OTHER AUXILIARY AIDS OR SERVICES ARE NEEDED IN ORDER TO PARTICIPATE IN THE PUBLIC MEETING, REQUESTS SHOULD BE MADE THROUGH THE CLERK OF THE BOARD AT LEAST THREE (3) BUSINESS DAYS PRIOR TO THE BOARD MEETING. THE CLERK'S TELEPHONE NUMBER IS (909) 387-3843 AND THE OFFICE IS LOCATED AT 385 NORTH ARROWHEAD AVENUE, 2ND FLOOR, SAN BERNARDINO, CA.

AGENDA AND SUPPORTING DOCUMENTATION IS AVAILABLE ON THE INTERNET: WWW.SBCOUNTY.GOV